

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SHAYNA AMSTER, an individual, on
behalf of herself and on behalf of all
persons similarly situated,

Plaintiff,

v.

STARBUCKS CORPORATION; and
Does 1 through 50, Inclusive,

Defendant.

Case No.: CV 18-8327-DMG (KSx)

**ORDER ON DISMISSAL OF ACTION
WITHOUT PREJUDICE PURSUANT
TO F.R.C.P. 41(a)(1)(A)(ii) [27]**


Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff SHAYNA AMSTER (“Plaintiff”)’s individually-based claims against Defendant Starbucks Corporation (“Defendant”) are hereby dismissed without prejudice. Plaintiff has elected, at this time, not to proceed with Plaintiff’s individual claims under the California Labor Code or the class claims so that Plaintiff’s non-arbitrable PAGA claims may be pursued first. Plaintiff reserves her right to file Plaintiff’s individual claims at a later time. The parties, therefore, have stipulated that the above-captioned action shall be dismissed in its entirety, without prejudice, as to Plaintiff’s individual claims and as to the claims alleged on behalf of other persons similarly situated as a class action.

1 The claims asserted by the putative class against Defendant are hereby
2 dismissed without prejudice. Plaintiff's claims against Defendant based on the Private
3 Attorney General Act (California Labor Code sections 2699 *et seq.*) remain and are
4 hereby REMANDED to the Los Angeles County Superior Court.

5 Plaintiff and Defendant shall bear her/its own costs, including attorneys' fees.
6 Plaintiffs' Motion to Remand Case to State Court [Doc. # 12] is DENIED as moot.

7 **IT IS SO ORDERED.**

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9 DATED: January 8, 2019

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12 DOLLY M. GEE
13 UNITED STATES DISTRICT JUDGE
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